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CSM1/0307

PROF. PHILIP VAN OOSTEN
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 ILLINOIS, IL 60661

**NOTICE OF ALLOWANCE
 AND ISSUE FEE DUE**
☐ Note attached communication from the Examiner

☐ This notice is issued in view of applicant's communication filed _____

SERIES CODE/SERIAL NO.	FILING DATE	TOTAL CLAIMS	EXAMINER AND GROUP ART UNIT	DATE MAILED
001073.5143	08/10/80	012	HARTLEY, W. L.	08/11/80
First Named Applicant: ROBERT L. JAMES H.				

TITLE OF INVENTION: **APPARATUS FOR PREPARING SOIL FOR THE PLANTING OF SEED AND ADJUSTING**

ATTY'S DOCKET NO.	CLASS-SUBCLASS	BATCH NO.	APPLN. TYPE	SMALL ENTITY	FEE DUE	DATE DUE
3	111-152,000	145	UTILITY	YES	\$20.00	08/11/80

**THE APPLICATION IDENTIFIES ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT.
 PROSECUTION ON THE MERITS IS CLOSED.**

THE ISSUE FEE MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED.

HOW TO RESPOND TO THIS NOTICE:

I. Review the SMALL ENTITY Status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

- A. If the status is changed, pay twice the amount of the FEE DUE shown above and notify the patent and Trademark Office of the change in status, or
- B. If the Status is the same, pay the FEE DUE shown above.

If the SMALL ENTITY is shown as NO:

- A. Pay FEE DUE shown above, or
- B. File verified statement of Small Entity Status before, or with, pay of 1/2 the FEE DUE shown above.

II. Part B of this notice should be completed and returned to the Patent and Trademark Office (PTO) with your ISSUE FEE. Even if the ISSUE FEE has already been paid by charge to deposit account, Part B should be completed and returned. If you are charging the ISSUE FEE to your deposit account, Part C of this notice should also be completed and returned.

III. All communications regarding this application must give series code (or filing date), serial number and batch number. Please direct all communication prior to issuance to Box ISSUE FEE unless advised to contrary.

IMPORTANT REMINDER: Patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.



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Byers 1-25

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
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08/073,573 06/08/93 BASSETT

CSM1/0202

WOOD, PHILLIPS, VAN SANTEN,
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500 W. MADISON ST., STE. 3800
CHICAGO, IL 60661

J
EXAMINER
WARNICK IV, S

ART UNIT PAPER NUMBER

3501

6/C

DATE MAILED: 02/02/95

NOTICE OF ALLOWABILITY

PART I.

- ☒ This communication is responsive to telephone interview of 1/25/95
- ☒ All the claims being allowable. PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice Of Allowance And Issue Fee Due or other appropriate communication will be sent in due course.
- ☒ The allowed claims are 1, 2, 4-20 and 28
- ☐ The drawings filed on _____ are acceptable.
- ☐ Acknowledgment is made of the claim for priority under 35 U.S.C. 119. The certified copy has ☐ been received. ☐ not been received. ☐ been filed in parent application Serial No. _____, filed on _____.
- ☒ Note the attached Examiner's Amendment.
- ☒ Note the attached Examiner Interview Summary Record, PTOL-413.
- ☒ Note the attached Examiner's Statement of Reasons for Allowance.
- ☐ Note the attached NOTICE OF REFERENCES CITED, PTO-892.
- ☐ Note the attached INFORMATION DISCLOSURE CITATION, PTO-1449.

PART II.

A SHORTENED STATUTORY PERIOD FOR RESPONSE to comply with the requirements noted below is set to EXPIRE THREE MONTHS FROM THE "DATE MAILED" indicated on this form. Failure to timely comply will result in the ABANDONMENT of this application. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- ☐ Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION, PTO-152, which discloses that the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.
- ☒ APPLICANT MUST MAKE THE DRAWING CHANGES INDICATED BELOW IN THE MANNER SET FORTH ON THE REVERSE SIDE OF THIS PAPER.
 - ☒ Drawing informalities are indicated on the NOTICE RE PATENT DRAWINGS, PTO-948, attached hereto or to Paper No. 3. CORRECTION IS REQUIRED.
 - ☐ The proposed drawing correction filed on _____ has been approved by the examiner. CORRECTION IS REQUIRED.
 - ☐ Approved drawing corrections are described by the examiner in the attached EXAMINER'S AMENDMENT. CORRECTION IS REQUIRED.
 - ☒ Formal drawings are now REQUIRED.

Any response to this letter should include in the upper right hand corner, the following information from the NOTICE OF ALLOWANCE AND ISSUE FEE DUE: ISSUE BATCH NUMBER, DATE OF THE NOTICE OF ALLOWANCE, AND SERIAL NUMBER.

Attachments:

- ☒ Examiner's Amendment
- ☒ Examiner Interview Summary Record, PTOL-413
- ☒ Reasons for Allowance
- ☒ Notice of References Cited, PTO-892
- ☒ Information Disclosure Citation, PTO-1449

- ☐ Notice of Informal Application, PTO-152
- ☐ Notice re Patent Drawings, PTO-948
- ☐ Listing of Bonded Draftsmen
- ☐ Other

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PART III. EXAMINER'S AMENDMENT

An Examiner's Amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 C.F.R. § 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the Issue Fee.

Authorization for this Examiner's Amendment was given in a telephone interview with Mr. John S. Mortimer on January 24, 1995.

In the claims:

Claims 21-24, 26 and 27 have been canceled.

Claim 4, line 2, "coultter comprises a disk and the" has been deleted.

Claim 6: lines 2-3, "the second means comprises a wheel with there being" has been changed to -- said --; line 3, -- first -- has been inserted preceding "wheel"; line 4, "so that" has been changed to -- mounts --, -- first -- has been inserted preceding "wheel" and -- so that it -- has been inserted preceding "traces".

Claim 10, line 4, "second", both occurrences, has been changed to -- first --; line 5, "second" has been changed to -- first --; and last line, "first" has been changed to -- second --

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Claim 11, line 2, "second" has been changed to -- first --;
line 3, "second" has been changed to -- first --; and last line,
"first" has been changed to -- second --.

Claim 15, line 2, "first" has been changed to -- second --
and line 3, "first" has been changed to -- second --.

The following claim has been added:

~~20~~ 28. (new) An apparatus for preparing soil for the placement
therein of at least one of seed and additive, said apparatus
comprising:

a frame having a front and a rear;

first means on the frame for penetrating the soil to create
an opening for at least one of seed and additive as the frame is
advanced in a travel direction;

said first means comprising a rotary element having a rotary
axis; and

second means on the frame overlapping the first means in a
fore and aft direction for at least one of a) stripping soil
clods from the first means, and b) loosening soil downstream of
the first means,

said second means comprising a first wheel,

there being means mounting the first wheel to the frame for
rotation relative thereto about an axis and so that the first
wheel resides entirely rearwardly of the rotary axis of the
rotary element. A

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Art Unit: 3501

Reasons for Allowance:

The following is an Examiner's Statement of Reasons for Allowance: the instant invention is drawn to a unique device for removing trash from in front of a planter. The device provides and is limited in its broadest claim to a coulter disk followed by at least one toothed wheel which overlaps the coulter disk to clean off the disk and loosen soil behind the disk. The prior art of record does not anticipate nor render obvious the claimed subject matter.


Any comments considered necessary by applicant must be submitted no later than the payment of the Issue Fee and, to avoid processing delays, should preferably **accompany** the Issue Fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Spencer K. Warnick whose telephone number is (703) 308-3409. The examiner can normally be reached on Monday-Thursday from 7:30 AM-5:00 PM. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Randolph A. Reese, can be reached at (703) 308-2121. The fax number for this Group is (703) 305-3597 or 3598.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-2168.

SW
January 30, 1995


RANDOLPH A. REESE
SUPERVISORY PATENT EXAMINER
ART UNIT 351

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